IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO. 1344 OF 2003

IN

SUIT NO. 520 OF 2003

Tata Motors Ltd .....**Plffs.**
vs.
V.B. Patel Auto (Gujarat)
Ltd and ors. .....**Defnds.**

Avinash Joshi i/b. Mulla and Mulla
for the plaintiffs.
Heena Chheda i/b. Hariani and co.
for the defendants.

CORAM: S.U. KAMDAR, J.

DATE : 6th October, 2005.

P.C. :.

1. The defendant was appointed a dealer for selling the car of the plaintiff and as such during the dealership was permitted to use the word ‘Tata’ being the mark of the plaintiff. The said mark was used for selling of the vehicles belonging to the

plaintiff. Admittedly the said dealership agreement has been terminated by letter dated 18.11.2002 and thus the defendants are no more the dealer of the plaintiff and thus they are not entitled to use the mark ‘Tata’ in so far as their business is concerned.

2. Learned counsel for the defendant states that they have no instructions in the matter. There is no reply filed. In that view of the matter, motion made absolute in terms of prayer clause (a). Motion disposed off accordingly. No order as to costs.

SD/-

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